

1 NICHOLAS G. VASKOV  
2 City Attorney  
3 Nevada State Bar No. 8298  
MICHAEL J. OH  
3 Assistant City Attorney  
Nevada Bar No. 7470  
4 WADE B. GOCHNOUR  
Nevada Bar No. 6314  
5 240 Water Street, MSC 144  
Henderson, NV 89015  
6 (702) 267-1382 Telephone  
(702) 267-1201 Facsimile  
7 Michael.Oh@cityofhenderson.com  
Wade.Gochnour@cityofhenderson.com

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9 Attorneys for Defendants CITY OF HENDERSON,  
PHILLIP WATFORD, KARL LIPPISCH

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11 UNITED STATE DISTRICT COURT  
12 DISTRICT OF NEVADA

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14 DANIEL ANDREWS,

15 Plaintiff,

16 v.

17 CITY OF HENDERSON, a Nevada  
Municipal Corporation, PHILLIP  
18 WATFORD, and KARL LIPPISCH,

19 Defendants.

20 CASE NO.: 2:18-cv-01625-RFB-BNW

21  
22 STIPULATION AND ORDER EXTEND  
DISCOVERY CUT-OFF DATE,  
DISPOSITIVE MOTION DATE, AND THE  
PRE-TRIAL ORDER DATE  
(THIRD REQUEST)

23 Plaintiff, DANIEL ANDREWS (“Andrews”) and Defendants CITY OF HENDERSON,  
24 PHILLIP WATFORD, and KARL LIPPISCH (“Defendants”), by and through their counsel, hereby  
25 stipulate and agree as follows:

- 26 1. On August 28, 2018, Plaintiff filed their Complaint [#1].
- 27 2. On October 24, 2018, Defendants filed their Motion to Dismiss Plaintiff’s Complaint  
[#17].
- 28 3. On November 6, 2018, Plaintiff filed their Opposition to Defendant’s Motion to  
Dismiss Plaintiff’s Complaint [#18].
4. On November 13, 2018, Defendants filed their Reply in Response to Plaintiff’s

Opposition to Defendant's Motion to Dismiss Plaintiff's Complaint [#19].

5. On January 16, 2019, the United States District Court filed its Scheduling Order [#21],

6. On January 23, 2019, the parties jointly filed their Proposed Discovery Plan and  
Scheduling Order [#24]

7. The parties filed a first request for an extension as it relates to expert disclosures, Interim  
Status Report, and the Discovery Cut-Off dates.

8. On February 13, 2019, the United States District Court filed its Order [#28], granting  
the stipulated extension of the expert disclosure, Interim Status Report, and the Discovery Cut-Off  
dates.

9. On February 22, 2019, Plaintiff filed a Motion to Amend the Complaint [#32] and  
Defendants filed their Opposition [#34] to said Motion on March 7, 2019.

10. On May 13, 2019, the parties filed a second request for an extension of the rebuttal  
expert disclosure deadline, discovery deadline, dispositive motion deadline as Plaintiff's counsel was  
scheduled to have open heart surgery and needed at least two months to recuperate.

11. On May 14, 2019, the United States District Court filed its Order [#41], granting the  
second request for a stipulated extension.

12. On August 21, 2019, a United State District Court Judge Boulware held a hearing on  
Defendant's Motion to Dismiss and Plaintiff's Motion to Amend the Complaint. At the hearing, the  
Honorable Richard Boulware granted, in part, and denied, in part, Defendant's Motion to Dismiss  
and granted Plaintiff leave of court to file a First Amended Complaint. The Court further provided  
Plaintiff 30 days to serve the newly added Defendant Phillip Watford and extended the discovery  
deadline by thirty days to October 18, 2019, and the Dispositive Motion deadline to November 17,  
2019 [#55]. The Court further ordered the Joint Pretrial Order to December 17, 2019.

13. On August 28, 2019, Plaintiff filed his First Amended Complaint [#49] and served  
Defendant City of Henderson and Karl Lippisch on August 29, 2019.

14. On September 11, 2019, Defendants City of Henderson and Karl Lippisch filed their  
Answer to the First Amended Complaint [#56].

1       15. On October 23, 2019, Plaintiff served newly added Phillip Watford.  
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3       16. On November 12, 2019, Defendant Phillip Watford filed his Answer to Plaintiff's First  
Amended Complaint [#64].  
4

5       17. This Request for an extension of discovery and unexpired dates is the third request  
and is not sought for any improper purpose or other purpose of delay. This request is made due to  
the newly added Defendant Watford being served after the discovery cut-off deadline of October 18,  
2019, and to afford Plaintiff the opportunity to depose newly added Defendant Watford. Both parties  
have completed all discovery with the exception of the deposition of the newly added Defendant  
Watford. Because newly added Defendant Watford was served after the discovery deadline, good  
cause exists for the requested extension.  
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12       18. This is the third request for an extension and applies only to the extension of the  
discovery deadline as applied to Defendant Watford to allow Plaintiff an opportunity to depose newly  
added Defendant Watford, obtain responses to pending written discovery and the unexpired  
dispositive motion deadline. The parties respectfully submit that the reasons set forth above constitute  
compelling reasons and good cause for the stay of discovery.  
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17       19. All parties, as indicated by the signature of counsel below, agree and stipulate to stay  
discovery at this time with extensions to the following deadlines:  
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- 19                  a.      Discovery Cut Off – December 20, 2019  
20                  b.      Dispositive Motions – January 20, 2020

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2 c. Pre-trial Order – February 19, 2020. If dispositive motions are filed, then this  
3 deadline shall by suspended until 30 days after the Court files an Order on any Dispositive Motions.  
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DATED this 14<sup>th</sup> day of November, 2019.

CITY OF HENDERSON

/s/ Michael J. Oh

MICHAEL J. OH  
Assistant City Attorney  
Nevada Bar No. 7470  
WADE B. GOCHNOUR  
Nevada Bar No. 6314  
240 Water Street, MSC 144  
P.O. Box 95050, MSC 144  
Henderson, NV 89009-5050  
Attorneys for Defendants

*CITY OF HENDERSON, PHILLIP WATFORD,  
KARL LIPPISH*

DATED this 14<sup>th</sup> day of November, 2019.

LAW OFFICES OF PETER GOLDSTEIN

/s/ Peter Goldstein

PETER GOLDSTEIN, ESQ.  
Nevada Bar No. 6992  
10785 West Twain Avenue, Suite 230  
Las Vegas NV 89135-3028  
Attorney for Plaintiff  
*DANIEL ANDREWS*

IT IS SO ORDERED

DATED: November 15, 2019



BRENDA WEKSLER  
UNITED STATES MAGISTRATE JUDGE